UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/24090
12 June 1992

ORIGINAL: ENGLISH

SPECIAL REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA

1. In my first progress report on the United Nations Transitional Authority in Cambodia (UNTAC) of 1 May 1992 (S/23870 and Corr.1 and 2), I stated that UNTAC, under the leadership of my Special Representative, Mr. Yasushi Akashi, had made a generally good start in Cambodia. I referred, inter alia, to the fact that the cease-fire had been restored in Kompong Thom Province, which had been the scene of recent armed clashes, and that the Party of Democratic Kampuchea had begun to remove restrictions on access by UNTAC to areas controlled by it. I added, however, that it was not yet certain whether UNTAC would have the full freedom of movement it required in those areas to reconnoitre all the locations selected for regroupment and cantonment of the forces of the Party of Democratic Kampuchea, the National Army of Democratic Kampuchea (NADK).

2. Subsequently, on 9 May, the Commander of the military component of UNTAC, Lieutenant-General John Sanderson, announced that phase II of the cease-fire would begin on 13 June 1992 at 0800 hours. General Sanderson took this step in consultation with the four Cambodian parties and after having obtained from each of them assurances that it would:

(a) Grant freedom of movement to UNTAC personnel, vehicles and aircraft;

(b) Mark minefields in the areas under its control;

(c) Provide to UNTAC by 20 May 1992 information on its troops, arms, ammunition and equipment;

(d) Adhere to the Paris Agreement (S/23177, annex) and in particular:

(i) Not interfere with troops moving to regroupment and cantonment areas;

(ii) Inform its troops of the plan for regroupment and cantonment and the dates and times specified therein.

3. However, in the days following General Sanderson's announcement, it became increasingly clear that the Party of Democratic Kampuchea was not taking the steps necessary to enable it to honour the assurances that it had given. In particular, there was continuing interference with UNTAC's freedom of movement, including obstruction of the deployment of the Netherlands battalion in areas controlled by NADK. At the meeting of the Supreme National Council of Cambodia held on 26 May 1992, my Special Representative again underlined the crucial need for all the Cambodian parties scrupulously to fulfil their obligations as set forth in the Paris Agreements in order to ensure the successful implementation of phase II. He called on the four parties, and the Party of Democratic Kampuchea in particular, to show that they were prepared to enter phase II by taking the following steps:

(a) Permit full and unrestricted freedom of movement to UNTAC in the zones they control;

(b) Refrain from further violations of the cease-fire in Kompong Thom, Kompong Cham and elsewhere;

(c) Mark minefields as required and not to undertake renewed mining;

(d) Stand down from their aggressive postures in Kampot;

(e) Cooperate fully with UNTAC in the reconnaissance of the remaining cantonment sites;

(f) Provide forthwith detailed information on the troops, arms and ammunition to be committed to regroupment and cantonment;

(g) Refrain from including in their radio broadcasts misinformation about UNTAC activities and intentions;

(h) Establish proper commander-to-commander relationships at UNTAC's request;

(i) Inform their forces by using all possible means of communication that phase II will begin at 0800 hours on 13 June and to tell their forces what to do in order to meet the requirements of phase II;

(j) Ensure that all their troops maintain their present positions pending movement to the designated regroupment areas;

(k) Arrange for all their forces, with all their arms, ammunition and equipment, to report to regroupment areas by 27 June, that is, within two weeks from the beginning of phase II;

(l) Then undertake a phased and balanced demobilization of at least 70 per cent of their forces.

Mr. Akashi called on the representatives of the parties to provide at the next meeting of the Supreme National Council on 5 June, if not before, assurances of full compliance with the provisions of the Paris Agreement relating to phase II of the cease-fire and detailed information on the steps they had taken to implement the 12 points.

4. The Party of Democratic Kampuchea's response to this appeal was not reassuring. In particular, in an incident on 30 May 1992, when my Special Representative, the Force Commander, and other senior UNTAC officials were visiting Pailin in the west of the country, NADK personnel prevented them from proceeding from Pailin to the Thai border. On 3 June, I addressed a personal appeal to H.E. Mr. Khieu Samphan, member of the Supreme National Council, urging that the Party of Democratic Kampuchea take the steps necessary to enable UNTAC to begin implementation of phase II on 13 June. I, of course, informed HRH Prince Norodom Sihanouk of this action. A reply from Mr. Khieu Samphan was received on 5 June, which, to my regret, did not contain the requested assurances from the Party of Democratic Kampuchea.

5. At the meeting of the Supreme National Council held on 5 June 1992, my Special Representative once again called on the parties in the strongest terms for full compliance with the provisions of the Paris Agreements and requested them to inform him of the steps they had taken to implement the 12 points. Positive responses were forthcoming from three of the parties, but the Party of Democratic Kampuchea failed to provide the information requested.

6. On 9 June, my Special Representative received a letter from the Party of Democratic Kampuchea stating that it was not in a position to allow UNTAC forces to proceed with their deployments in the areas under its control.

7. At the most recent meeting of the Supreme National Council, on 10 June 1992, my Special Representative reaffirmed the need for the parties to honour the obligations which they had accepted when they signed the Agreements in Paris. He also recalled the importance the international community attached to those Agreements and their full and correct implementation and the significant resources it was contributing to the restoration of peace and stability in Cambodia. He called once more on the Party of Democratic Kampuchea to meet in full its obligations under the Paris Agreements, to comply with the 12 points he had listed at the meeting of the Supreme National Council on 26 May and to enter phase II of the cease-fire on 13 June as agreed. The representative of the Party of Democratic Kampuchea again failed to respond positively.

8. I have taken advantage of the presence of many world leaders at the United Nations Conference on Environment and Development in Rio de Janeiro to convey to a number of them my deep concern about the problems that have arisen over implementation of phase II and I have sought their help in support of my own efforts to ensure that the timetable will be strictly adhered to by all the Cambodian parties.

9. Implementation of the Paris Agreements has thus reached a critical stage. I find it necessary to draw this to the Security Council's attention so that the Council can consider what action it might appropriately take to ensure that UNTAC receives the cooperation it needs and in particular that the timetable for implementation is adhered to.

10. The vital importance of starting phase II on 13 June as announced cannot be overemphasized. This is crucial in order to ensure that various interrelated processes - cantonment, disarmament and demobilization, repatriation and elections - can proceed within the time-frame envisaged in the implementation plan (S/.3613) and that free and fair elections take place, as scheduled, in April/May 1993. To that end, every possible effort has been made to overcome major logistic difficulties and to deploy the bulk of the military component of UNTAC in Cambodia before 13 June. As of 12 June, over 10,000 troops have arrived in Cambodia, with a further 1,000 scheduled to arrive by 13 June, and more scheduled to arrive by the end of June.

11. However, UNTAC's ability to adhere to the timetable is gravely compromised by lack of cooperation from the Party of Democratic Kampuchea. Two of the other parties have provided, as required and on time, the necessary information on the number of their troops, arms, ammunition and equipment to be cantoned and the third has made a bona fide effort to comply substantially. The Party of Democratic Kampuchea on the other hand has failed to provide this information to UNTAC. NADK has also continued to deny full access and freedom of movement to UNTAC, preventing it from conducting reconnaissance of 6 of the 16 cantonment sites envisaged for NADK. It has also failed to mark minefields in areas under its control and has remined some areas. UNTAC believes NADK to have been responsible for many of the cease-fire violations that have continued to occur in the provinces of Kompong Thom, Kompong Cham and elsewhere.

12. In explanation of its failure to comply with UNTAC's requirements, the Party of Democratic Kampuchea has asserted that foreign military personnel remain present in Cambodia and that, until their withdrawal and non-return has been verified by UNTAC, its own security requires that fulfilment of the above-mentioned obligations must be deferred. While firmly rejecting this view, UNTAC has taken a number of steps designed to help to allay any legitimate security concerns. It has established 10 border checkpoints, one more than envisaged in the implementation plan, on the Cambodia-Viet Nam border at an earlier date than specified in the Agreement. It has invited the representatives of the four parties to participate in manning the checkpoints. On 30 May it launched mobile military teams empowered to carry out investigations of any alleged violations of the provisions of annex 2 to the Paris Agreement, including allegations of the presence of foreign forces, and invited the parties to submit any such allegations to it. On 1 June, the Party of Democratic Kampuchea submitted in writing a list of allegations regarding the presence of foreign forces in Cambodia. In accordance with annex 2, article VI, paragraph 2, of the Paris Agreement, UNTAC requested the Party of Democratic Kampuchea to make personnel available to accompany UNTAC's investigations of these allegations. The Party of Democratic Kampuchea has so far failed to comply with that request.

13. Following the unsatisfactory outcome of the meetings of the Supreme National Council on 5 and 10 June 1992, the question arose of whether 13 June 1992 should be maintained as the date for implementation of phase II of the cease-fire, given that it depends critically on the cooperation of all parties and would not be sustainable for more than a brief period without such cooperation. After careful consideration, I have concluded that phase II of the cease-fire must proceed as scheduled on 13 June. Any significant delay in the implementation of the military aspects of the plan would result in a loss of the momentum that has been carefully built up in recent weeks and would jeopardize UNTAC's ability to organize and conduct the elections by April or May 1993. My Special Representative is accordingly consulting the three parties which have expressed their readiness to begin the regroupment and cantonment of their forces, in order to ensure that this process is conducted in a manner which would minimize any military disadvantage they would suffer vis-à-vis the fourth party.

14. However, this can be only a short-term solution and it is imperative that all efforts should now be made to persuade the Party of Democratic Kampuchea to join the other parties, in good faith, in implementing the comprehensive political settlement to which the international community has committed so much diplomatic effort and such substantial human and material resources. The Security Council may itself wish to consider what action it could take to achieve this objective.